

A Shrinking Union Means Shrinking Power

Time to Organize

Our union lost 48,000 members last year according to official reports. The new IBT Organizing Director, Jeff Farmer, reports that we could lose 200,000 Teamsters by 2006. This isn't just a loss of numbers. This is a loss of Teamster power.

This failure to organize threatens every aspect of our union.

Carhaul Contract

This month, Teamster car haulers are voting on a proposed agreement that includes a two-year wage freeze and additional concessions (see page 9). What was the employers'

stick in the negotiations? The threat of growing nonunion competition.

Car haulers aren't alone. Teamsters in freight, air freight, grocery distribution, waste hauling, and other core industries all suffer at the bargaining table because of the threat posed by nonunion competition.

Pensions

Our failure to organize also affects Teamster pensions — a major issue in the Central States and Western Conference funds where members have launched Pension

Improvement Committees to fight attacks on their pensions. (See page 6).

Both of these funds — and other Teamster plans across the country — have a growing ratio of retirees to active workers. In response, our pension fund trustees have chosen a course of freezing pensions and restricting work after retirement. What's needed is a real plan to organize more workers into our union and into these pension plans.

Organize or die. It's not just a slogan, and Teamsters who see the threat of nonunion competition used to justify attacks on our contracts and pensions know it.

IBT Organizing Plan Unveiled

At the recent Unity Conference of Teamster officials, the IBT unveiled a new organizing plan designed to strengthen our union's power by massive organizing in our core industries.

Much of the "new plan" isn't new at all. Strategically organizing in core Teamster industries. Organizing in areas where the union already has strength. Greatly increasing funding for organizing. TDU has championed each of these proposals for years.

But what *is* new is that now our top leaders are saying it. Is the new organizing plan just a slogan, or a decisive new turn to build Teamster power? That question can only be answered by our union's actions in the field.

Airborne

A perfect opportunity for the IBT to put its new commitment to strategic organizing to the test is Airborne Express, a nationwide company that has 11,000 nonunion workers and 9,000 Teamsters. Our union represents the company's pilots and 8,000 drivers in the major cities. In short, we have union clout at this major employer.

Nonunion DHL is purchasing Airborne. The national Airborne contract is currently open. Will our union seize this opportunity with a plan to organize the nonunion drivers and hourly employees currently moving Airborne's freight? This is a chance to turn Teamster plans into reality.

The IBT has announced a new plan. But a plan is nothing without follow-through. It will be up to Teamster members to get involved and then demand action and results.

To learn more about the IBT's new organizing plan, see page 7.

What Can TDU Do for You?

"TDU has been most helpful as a source of information. I have gained more insight on union activities and strategies for dealing with company problems from one TDU meeting than from three years of regular union meetings. Keep up the good work!"

Dodd Aizpurua
Local 878, UPS, Little Rock

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

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____ \$40 one-year membership & subscription to *Convoy Dispatch*.

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Check or money order

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TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

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Letters From Our Members

Why Reemployment Is So Important

A great number of Teamsters retiring under the Central States Pension Plan do not realize that they will not receive medical coverage until they reach age 57.

If you started at age 21 full time and retired at age 46, you will have about 11 years without health care coverage.

If you check with providers such as Blue Cross, it will cost a family \$491.56 a month at age 50 to 54, \$634.94 a month at age 55 to 57, with a \$500 deductible for specialists and for emergency or hospital visits. Add 20 percent to those figures if you smoke.

If you retire at 25-and-out with \$2,000 a month, lets do the math and see what's left. As much as \$700 could go to taxes and \$500 to medical coverage, leaving approximately \$800 a month to live on. Don't forget electric, water, rent or mortgage payments, unexpected repairs and, of course, food.

We need changes in the reemployment rule.

J. Michael Stinson
Local 878, UPS
Little Rock, Ark.

NC Local in New England Fund?

The question of the day is the one that officials of Local 391 Greensboro, N.C., as well as the New England Pension Fund, will not answer.

How do I know this? Well, because I asked them.

Simple question. How come The New England Teamsters & Trucking Industry Pension Fund has Local 391 of Greensboro, N.C., listed as a participant in my fund?

Log onto the fund's website at www.nettipf.com and click on the "Local Unions" link. Maybe TDU can find out what's going on. This one doesn't pass the smell test!

Ed Saucier
Local 170, UPS Retired
Worcester, Mass.

End the Name Calling on Hours of Service Rules

There is a lot of name calling going on between the TDU and the present leadership of the Teamsters on the new hours of service rules.

The truth is lost in the accusations.

The new rules have been out there in some form for years and their origin is a university think tank that has been using

federal money to develop what are reasonable hours of work based on the normal sleep cycle.

I know this to be true because I ran head into the recommendations when I was doing research on detecting Alpha brainwave patterns. There was no interest at the academic level for a device that could detect the first stage of sleep (nodding, but you swear you're not sleeping).

The new rules are based on these recommendations with a severe bend from industry (management).

We should be unified and not pointing fingers at each other for political gain. We should be using these new rules and recruiting and organizing nonunion members to the Brotherhood. We should be ready to point fingers at the present administration when the safety record takes a turn for the worse. With the record of this administration they will shuttle the blame to academics with no thought of the bending of the recommendations by their political contributors and like minded interest groups.

Karl Krueger
Local 695, Yellow Freight linehaul
La Crosse, Wisc.
(taken from an internet posting)

Get Involved in Your Pension

I would like to share with you my point of view from inside Central

Pennsylvania. I am a driver for a chemical distribution company called Brenntag Northeast. I am a 33-year old, four-year member of the Central Pennsylvania Teamsters Pension Fund. Under our last contract, effective Dec. 1, 2000 until Nov. 30, 2003, we received monthly contributions of \$757, \$762, and \$772 respectively. Not freight, but not bad either. When the contract was finalized I started dreaming about a retirement that would allow me to travel America and see all this county has to offer.

That was until the day I received the "survey" in the mail that asked would I prefer to lose 35 percent of my pension contribution or would I like to receive a

1.25 multiplier of my yearly contribution, which amounts to about \$115 a month for every year of service, only 36 months of which are guaranteed. This information was coupled with my first pension statement which showed only a 3.6 percent gain on what was supposed to be a fund that was to make seven percent a year. Since 2000 the fund has had losses of 0.5 percent, 3.4 percent, and, as if those weren't bad enough, for 2003 a 7.6 percent loss. At some point you would think this fund would make some money by mistake!

So what does all this mean? In 2002 I started with an account balance of \$23,510.65. I received total yearly contributions of \$9,161.92, so my balance should be \$32,672.57, right? Wrong! After \$2,669.30 went to the old defined benefit fund (a fund I will never see a dime from) and \$2,001.68 in losses, I now have a balance of \$28,001.59. A far cry from the projected \$38,000 I should have by now. At my barn we have drivers that have lost over \$11,000 dollars this past year. I have friends in freight in my local who have lost more than that.

As a member of TDU and the Pennsylvania Teamster Reform Committee I encourage everyone to get involved in their pension, learn about it and stay informed. As for me, now I am dreaming of a retirement that will allow me to make ends meet.

John W. Love
Local 429, Brenntag Northeast
Reading, Pa.

Send Us Your Letter by E-Mail

We'd like to hear from you! And if paper and a stamp is not your style, send us your letter by e-mail. Either visit our web page at www.tdu.org and use the link provided there, or e-mail your letter to letters@tdu.org.



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John Love, Reading, Pa., Local 429

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 2002 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Teamsters Fight to Defend Union Standards

National Strategy Needed in Grocery

Glenn Cisco
Local 313, SuperValu
Tacoma, Wash.

The 1,600 Teamsters who work at Safeway, Associated Grocers and SuperValu in the Puget Sound region have benefited over the years from area standards set through "Big Table" area-wide, multi-employer and multi-union bargaining. Times change, and it seems this year we are all on our own.

A Rush to the Bottom

Safeway, AG and SuperValu are in a rush to the bottom rung of the ladder, citing Wal-Mart, Kroger/Fred Meyer, Costco, and Target stores as the new work-for-less grocery industry leaders. They are pushing for a switch to an incentive pay system called Activity Based Compensation (or a Pay by Grid System), and the local unions are not working together to fight it.

Local 174 in Seattle has accepted Activity Based Compensation at the Safeway distribution center in Bellevue. SuperValu management is now using this as leverage against its Local 313 members in Tacoma. SuperValu's first proposal, which we voted down, contained a reopener if Safeway accepted its proposal. Associated Grocers has voted on their new contract and approved it. It again moves in a new direction negotiated by Local 174 with many variations from the Safeway agreement. The former AG drivers who now work for Ruan International, AG's new third-party sub-

contractor, also faced employer demands for a switch to incentive pay, loss of jobs and liberalized concessions in contract language that favor the third-party employer.

Activity Based Compensation is a break from traditional hourly pay with overtime for all hours worked, our area standard for both drivers and warehouse workers. Many of us have worked under piece-rate pay systems in the past and they are a nightmare. They force workers to compete against one another and give management a foot in the door to demand ever-increasing productivity from each of us.

Fleming Lays Off Over 1,000 Distribution Workers

Fleming announced that they will close five distribution centers by mid-June, and a sixth by the end of the month. The centers to be closed are in Salt Lake City, Utah; Warsaw, N.C.; Northeast, Md.; Phoenix, Ariz.; King of Prussia, Pa.; and Marshfield, Wisc. About 1,000 jobs will be lost. Five of the closings were announced in early May.

On May 30 management at Fleming's Marshfield, Wisc., center told 210 workers they will be laid off June 27, less than a month's notice. Wisconsin state officials are investigating whether this violates a state law requiring businesses with 50 or more employees to give 60 days notice

Latest word from the Safeway Distribution Center in Tracy, Calif., where they have introduced incentive pay, is that grievance backlogs and pay disputes continue with no end in sight.

The incentive pay system will undermine historical Washington State area-wide standards in violation of the IBT's own Grocery Industry Resolution, which calls for preserving industry standards through coordinated bargaining.

On May 10 SuperValu drivers and warehouse workers rejected a first contract proposal by a wide margin. The proposal met stiff resistance because of concern over a few key issues. For the drivers, the main issue was the addition of a reopener clause allowing SuperValu to reopen the contract if the Local 174 Safeway drivers accepted an Activity Based Compensation System laid out in a grid and average miles per hour. Our proposal did not include an incentive pay system, and would have likely passed if it were not for the Safeway reopener clause. Warehouse workers opposed the contract because of new medical plan provisions for higher out of pocket payments and a major increase in the cost of prescription drugs.

Whose Side Is Our Warehouse Division Director On?

IBT Warehouse Division Director John Williams presented the contract proposal we voted down to us. The proposal our members were given to vote on was incomplete. Mileage payments for our Team runs had not been calculated, and other provisions were left open or called housekeeping. To my dismay, our own warehouse division director sounded more like he was giving us a sales pitch for the employer's position, than backing the rank-and-file employees' side. He did not provide us with the full details regarding the proposal's reference to reopening by SuperValu, if Safeway drivers accepted the new pay system. The addition of this provision

for a reopener was a total surprise to the entire bargaining committee. A bargaining committee member let this be known from the floor and it played a major part

standards. The IBT Grocery Industry Resolution on area standards must not have followed us working Teamsters into the twenty-first century?

Safeway, AG and SuperValu are in a rush to the bottom rung of the ladder, citing Wal-Mart, Kroger/Fred Meyer, Costco, and Target stores as the new work-for-less grocery industry leaders.

in the proposal's rejection.

Our bargaining position against incentive-based pay has been weakened by Local 174's acceptance of it. A pay system based on hourly wages with overtime is the historical area benchmark for Teamster grocery drivers.

It is a mockery of this year's centennial celebration of 100 years of Teamster history for local unions to go along with grocery employers in undermining area

Drivers at both SuperValu and at Safeway must now stand ready to fight Safeway-style pay grid systems that are based upon average miles per hour, with legal action under state wage and hour laws if necessary.

Negotiations for SuperValu Tacoma drivers and warehouse workers are set to resume June 12, 2003. I pray the SuperValu rank-and-file members are up to the challenges we are now faced with.

Latest Trend to Boost Productivity

Companies Turn to Voice Control Systems

One of the latest trends in the grocery warehouse industry to boost control and productivity is to implement Voice Directed Systems. The hands-free, eyes-free Talkman systems touted by Vocollect to make employees work faster, increase accuracy and improve productivity have made their way into numerous Teamster facilities. Teamster warehouse workers are no strangers to tough computerized production standards, and these new systems are just one of the many challenges we face.

Employers Get More Control

The voice directed systems give the employer tremendous control. The employer has the ability to track an order selector at any time: what aisle, what slot and what door you are at. The headset and battery pack act as homing devices. The employer has the ability, with the pickers knowledge, to hook up to a unit and listen to all the commands being made. (This is mainly done during training.)

A potentially huge problem is the effectiveness of the network. If your facility has poor reception due to weak signals from transmitters, not enough transmitters or dead areas, your headset will beep and you will have to move around like you have a bad cell phone connection. Can you hear me now? You will also have to repeat commands over and over. These problems will break your picking rhythm and frustrate you to no end.

You also lose all the little micro breaks you used to get by going to the desk and obtaining another assignment or when you finished your assignment before the allotted time and rested a couple of minutes. All of these factors have the effect of making the pickers feel like robots.

To make matters worse, all the tricks

you used to use to make your work a little easier are harder to utilize under the voice system. For example, with labels you could look at your order, determine your base, pick up heavy bulky items first and select the rest of the items accordingly. Under the voice system you can't see what your order is. There is a base program, but it still is not the same. You also can't speak as freely as you once did, an obvious employer advantage, since your headset might pick up some words and mistake them for commands, or the idle time will show and the employer could review your performance and inquire about periods of dead time.

Some other concerns are the unknown health effects of wearing a battery pack on your waist and a headset for 40-plus hours a week.

Even with the drawbacks some warehouse workers find advantages to the voice system. If you work in a refrigerated warehouse you might prefer having your hands free to wear gloves comfortably and not have the awkward task of peeling labels while wearing gloves. Also, like any system, creative Teamsters figure out ways to make their jobs easier.

National Strategy Needed

Teamsters in the warehouse industry know companies are utilizing this technology nationwide and we need our International Warehouse Division to actively investigate these new technological changes and, most important, how they will affect members and devise a strategy to protect the members' best interest. Local unions do not have the resources or ability to do it alone. We need strong leadership on the International level to coordinate an effective strategy to combat these threats to Teamster members.

DHL Acquisition is Challenge, Opportunity

Time for Action Plan at Airborne

More than two months have passed since the freight agreement was settled and there is still no word from the International Union about the Airborne contract. All we get is street rumors.

Airborne Teamsters are tired of being kept in the dark while IBT officials drag their feet. If this was a normal contract the slow pace of contract talks might be okay. But the pending purchase of Airborne by DHL makes this contract anything but normal.

It is time for the International to outline an aggressive action plan to secure a contract that protects our members and strengthens our union's hand as we prepare for the DHL takeover.

Our union represents 9,000 Airborne workers in major cities including Boston, Chicago, Denver, Detroit, New York, Philadelphia, Pittsburgh, San Francisco, Seattle, and more.

The Teamsters also represent 800 pilots in Local 1224, who have pledged to honor any picket lines in the event of a strike.

Use Our Power

In short, our union has power in this situation, and we need to use it. At a meeting of Airborne locals in Chicago on April 24, several locals pushed for the IBT to take an aggressive bargaining posture with Airborne.

► **No concessions.** We need a contract that preserves our wages, benefits and working conditions.

► **Organize the unorganized.** Roughly 45 percent of Airborne drivers are organized under Teamster contracts. Locals are pushing the International to strengthen our union's future bargaining power by bringing contractors into company jobs and securing card check recognition and management neutrality so we

can organize all the nonunion drivers and hourly employees currently working for Airborne. This is especially important as we link up with DHL, a nonunion operation.

► **National standards.** More than 60 percent of Airborne Teamsters are covered under white paper contracts, not the NMFA. The majority of white paper locals said they would like to be part of the NMFA. Our union needs to aggressively pursue this goal.

Federal Express and UPS are challenging the acquisition of Airborne by DHL, a subsidiary of Deutsche Post, citing a regulation that prohibits foreign governments to own more than 25 percent of an airline that operates domestically.

The Department of Transportation has until Oct. 31 to make its ruling. Industry analysts expect the purchase to be approved.

Airborne Teamsters will be part of a nonunion company with deeper pockets than our old employer. Of course, we need to negotiate a contract that preserves what we've got. But that's not enough.

To maximize our leverage going into DHL, we need a plan to secure bargaining rights for all Airborne workers and bring white paper Teamsters up to national standards. That way we enter DHL on a solid union foundation, ready to build for the future. That's the challenge our union faces as bargaining resumes June 16 to 19.

Stay Informed

The Airborne Teamster Rank and File Network will keep members informed and we will hold our officials' feet to the fire to demand real information and a real plan to secure our future.

Call TDU at 313-842-2600 to become a part of the Airborne network.

Freightlines

Has New Contract Led to Fewer Terminations?

Innocent-until-proven guilty language disappeared from most freight supplements with the settlement of the 2003 NMFA. At ratification meetings, many officials argued it wasn't good for the members or the union because the panels were tied up with too many termination cases. As the dust settles from this latest round of contract negotiations, members need to keep an eye out for how the absence of this language helps or hinders our union power. We were promised that dropping innocent until proven guilty would mean fewer firings and suspensions. Let's keep track.

Freight Panels Change in West

The regional freight grievance panels in the West have been consolidated into one panel, covering the majority of the land area of the U.S. This multi-state panel will rule on grievances from all Western locals, and will meet two months out of each three. The third month will be for the quarterly Joint Western Area Committee, which will hear cases deadlocked by the multi-state panel. This same system is used in the South.

Yellow Moves on Article 20 'New Business Opportunities'

Yellow Freight plans to launch a pilot program to test the feasibility of offering a next-day service. CEO Bill Zollars stated, "It will be in places you would normally look, where we already have density and customers." He used the example of a driver already making a stop to pick up long-haul freight adding on a next-day shipment.

According to experts, the pickup is the easy part and the difficulty will come back at the terminal dock. Next-day shipments must be unloaded, sorted, and loaded on a tight schedule that allows for timely service. This "new" service and "flexibility" requires getting a change of operations agreement from the union. How will this work in practice? How will this next-day service be dispatched? Will it create another board? Most importantly, will this "flexibility" create new jobs or reduce them? These questions and many more will be sorted out over the coming months and years of the contract.

Yellow management already knows their goal. CEO Zollars stated, "The nonunion model is the one we would try to emulate."

Big Three Continue to Reap Benefits from CF Demise

ABF, Roadway, and Yellow averaged a 5.2 percent increase in revenue compared with the first quarter of 2002. In quarterly statements, the carriers attributed a good deal of the improvement to the changes in the LTL industry following the closing of CF. One transportation analyst said the Big Three saw a "fairly significant" shift in their freight mix since CF closed its gates. He added that these companies were operating at 90 percent capacity in the first quarter, an unusually high rate for what is typically the slowest time of year.

Regional carriers also reported an average revenue increase of 7.9 percent in the first quarter. We need to press management to translate these gains into layoff recalls and new jobs for former CF Teamsters.

Emery Closes Service Center Closest to Headquarters

One year into their three-year contract, Teamsters from San Jose, Calif., Local 287 no longer deliver freight for Emery in the Bay Area. The corporation shut down the service center located not far from their corporate headquarters in Redlands, Calif., putting nearly 100 drivers out of work. Emery shuttered the San Jose center in mid-contract, claiming significant losses in revenues.

The company continues to deliver shipments in the San Francisco, Oakland, and San Jose areas. They now truck freight from a nonunion Emery facility in Stockton to a dock operation in San Jose for distribution by subcontractors.

Local 287 Teamsters have gathered information to document that their work is being done by nonunion drivers in violation of their contract. The local has filed charges with the National Labor Relations Board and is seeking strike sanctions from the IBT.

A resolution in support of Emery teamsters was passed at the recent Teamster Unity Conference in Las Vegas.

Local 287 has set a June 1 deadline for Emery to return the affected Teamsters to their jobs or face further action.

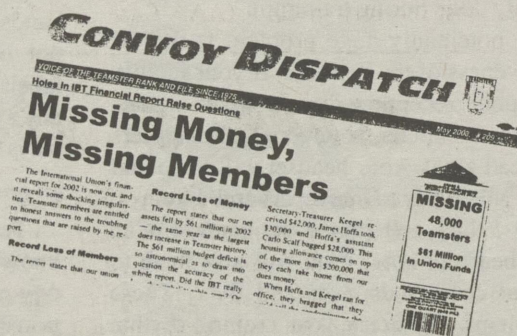
Emery has Teamster contracts at 28 locations throughout the U.S. Union workers at Emery facilities in Europe say they are prepared to express solidarity with their brothers and sisters in Local 287.

Freight Drivers Online

There are a few internet publications for freight Teamsters worth taking a look at. One is www.roaddrivers.com, a road drivers bulletin board begun by Yellow drivers which has branched out. Another is the internet monthly newsletter for Roadway employees, RoadwaySpy. Subscribe at RoadwaySpy@aol.com.

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IBT Blames TDU Instead of Taking Action

Drivers Slapped with Longer Driving Hours

The Hoffa administration's reaction to the new hours of service rules proposed by the DOT, which would lengthen driving time from 10 to 11 hours, is not to outline a plan to fight it, not to evaluate their own failure to stop it, not to condemn the Bush administration's rule, but rather to blame TDU!

It would be funny if the issue were not so serious.

The history here is important. For several years safety advocates, including TDU, have pushed for a tightening of hours of service, to protect the safety of Teamster drivers and the public, and to make our jobs more livable and secure.

Industry Slant

The Bush administration changed the focus of the DOT's evaluation of hours of service to favor industry's goals. Our union leadership opposed this direction but did little to fight it. There was no vigorous Teamster campaign to stop it.

Then nothing was done in the NMFA or carhaul bargaining to limit hours. It would have been reasonable to put a 10-hour limit into our contract to protect our members against the worse rule coming.

In fact, when negotiating the freight contract, the Hoffa administration wrote right into the deal an example of a driver working 16-hours on duty. At the time, we

all laughed. Now we know what the companies and International Union knew then: that there is a provision in the proposed regulations for a once-a-week 16-hour tour of duty, seemingly designed for the "premium driver" concession in the NMFA.

TDU Fights for Driver Safety

TDU has consistently worked for driver safety and superior hours of service regs. Of course, TDU's resources are tiny compared to the IBT, but we have done everything possible to enforce driver safety and fight against the increase in driving time to 11 hours.

The best driver safety law in place, the "whistleblower" protection contained in the Surface Transportation Assistance Act, was not prepared by the IBT, but by TDU. And TDU literally wrote the book on how Teamster drivers can use it. The IBT does not even distribute the books to inform drivers of their safety rights.

The lawsuit the IBT refers to as causing the new hours of service regs was filed just months ago by Public Citizen and signed by various safety groups. TDU signed onto it. The suit was aimed at getting the DOT to enforce a number of safety laws, including increased truck inspections at U.S. borders. The suit was quickly settled. The hours of service regs

were coming down the pike for years. Our union leadership sat back, and now says Public Citizen's lawsuit caused them? Get serious.

Time for Action

Instead of this blame-game, the IBT leadership needs a program to protect our drivers and the public as well. The NMFA has reopener language in Article 27, for example, in the event of "federal

agency action which has a significantly adverse impact on the wages, benefits, or job security of the employees." Article 6 contains language allowing a reopener if "Hours of Service regulations are subsequently amended." Similar clauses are in our other major contracts. Is our union considering reopening under these clauses?

We've now heard their excuses. What's their plan?

I'll Be There

"Last year's TDU Convention was really a rewarding experience for me. I learned so much from the workshops that has helped me to be a better member and a better union steward. Being around such dedicated Brothers and Sisters confirmed in my own mind that I made the right decision when I joined TDU.

Margaret Sanders
Local 320, University of Minn.
Minneapolis



UPS Teamsters Show Unity in N.C.

by Raleigh, N.C., UPS Teamster

Sometimes it can be difficult at UPS to find ways to show unity. Here in Raleigh we have found a basic but effective way to bring people together and show management that we mean business.

What began as a quest by management for more stops per hour, by cutting routes, quickly became a serious customer service problem. Adding to an already difficult situation, UPS terminated drivers who did not list PJC's (Prayer for Judgment) on the yearly Motor Vehicle License Disclosure which asks for convictions. A PJC is not a conviction in North Carolina.

Eleven and 12-hour dispatches did not help matters either. Incensed by these problems, 50 drivers walked down the hill from the employee parking lot to our building (several tenths of a mile) in a show of solidarity. With management peering out at us we said a short prayer and then went into work.

UPS management was clearly rattled. They asked for a meeting off the clock. No deal, we said, feeling that this attitude — to have an off the clock meeting with less than a days notice — was just one more example of the problem.

Meanwhile the brass from UPS headquarters in Atlanta came up, partly to see

why morale was so bad. Drivers could not in good faith turn in sales leads for potential new customers when existing customers were not getting the level of service they were used to. As one driver put it, "Service and safety are nonexistent." Despite all the problems, the driver who uttered those words was still concerned about the customer.

To keep the pressure on we organized another walkdown. This time we had close to 85 drivers.

We are still chronically short of drivers and service is not what it could be with enough Teamsters behind the wheel. Also, drivers are being pulled off bid routes daily or not trained on their new bid routes. Accidents and injuries continue to climb due to the long hours (fatigue) and stress.

While on-car supervisors are screaming for new drivers, and management wants service to return to pre-12 hour dispatch level, summer and 98 degree days and high humidity are just around the corner.

Our walkdowns have gotten UPS management to notice that something is very wrong in Raleigh. Armed with this unity we will keep pushing for decent working conditions and proper service for customers.

National Panel Sides with UPS on Vacation-Pay Case

For years UPS has tried to use a quirk in the way vacations are accrued to shaft Teamsters who retire, or otherwise have to leave the company, out of thousands of dollars in vacation pay.

People hired late in a calendar year are affected. Due to a combination of black-out dates and accrual criteria, people in this group end up earning their second year of vacation long before they are able to take their first vacation. This one-year discrepancy continues throughout their career. When they retire or leave that year of vacation has yet to be used or paid.

UPS has never presented any credible evidence to counter this. At least two arbitrators have ruled against them on the issue, most recently in 1999 (AAA Case

no. 51-300-00405-97).

Then why did the national grievance committee rule in UPS's favor in just such a case in May of this year? William Anderson, a Minnesota Local 346 member, traveled to Las Vegas to help present his case. He came armed with pay stubs going back to his early days at UPS, copies of the arbitrators' decisions and other evidence.

UPS had no hard evidence and presented their main arguments in executive session. Bill Lichtenwald and Trish Callahan were two of the union-side reps sitting on the case.

If you believe you have been or could be affected by this issue, please contact TDU.

UPS & Downs

One More Time: Where Are Our Contract Books?

We are fast approaching the one-year mark on the new contract, yet contract books have yet to be made available to UPS Teamsters. The IBT has produced a printed copy of the master agreement. Without the supplement attached that booklet is less helpful. But locals are not even making the master available. The first year of a new contract is prime time for enforcement. We need contract books now.

P500 Seats Bad News on Backs

UPS drivers in Texas report problems with the seats in old P500 package cars. While the seats work okay at lower speeds and around town, they frequently bottom out on rough highways or roads. Serious back injuries are occurring. If you have or need information on this problem please contact TDU.

Central States Pension Fund: Lies and Promises

Thomas Nyhan is the Director of the Central States Pension Fund. Fred Gegare is a Trustee of the Central States Pension Fund and an International Vice-President of the Teamsters Union. At the May 10, 2003 Local 391 union meeting in Greensboro, N.C., to discuss the pension plan, Nyhan and Gegare told 300 Teamsters a lot of lies and they made a lot of promises. We want them to give us straight answers. And we aim to hold them to their promises. Here are some highlights.

Lies

► **Fred Gegare:** "The best thing to do is write the fund and tell them exactly what you are going to do. You only hear the horror stories of extreme cases. I'd say 99 percent of jobs are approved."

Ninety-nine percent of requests are approved?! Gegare should tell that to members who have been denied employment in everything from lawn care to farming.

Teamster member: "Can you give me examples of any other plans that have reemployment rules like we do?"

► **Thomas Nyhan:** "I'm not familiar with every plan."

If Central States approves 99 percent of jobs like Gegare says, then it should be easy to come up with examples of other plans with similar reemployment rules. But the truth is that the Central States rules are harsher and more extreme than those found in any other Teamster plan we've heard of. And Gegare's own Retirement and Family Protection Plan for Teamster

officials has no restrictions at all on reemployment.

► **Fred Gegare:** "Someday I hope to have a list so that we know what you can do and what you can't do. Some day."

Gegare was asked for a list of what jobs members can do after they retire and still receive their pension. Members had asked him the same thing at a meeting in Milwaukee four months before. We're still waiting.

► **Fred Gegare:** "Let me explain brother. During negotiations there were surveys sent out. Priority number one for UPS members was health and welfare. Second was wages. Third on the survey was pension improvements. So that's how that came about, because the membership responded to the surveys ... We did what the members wanted."

The IBT's own documents tell a different story. Full-time UPS Teamsters ranked improved pensions as their top concern. 43 percent of all full-timers said improving the pension was their top priority. Wages ranked second at 36 percent. More paid time-off was third. Health and welfare came in fourth. When part-time and full-time workers are included together, wages came in first with pension second and health and welfare third.

Gegare should stop trying to rewrite history.

► **Thomas Nyhan:** "Contrary to common belief and what's been reported in some sources, there is no pension

freeze. There are accruals every year."

Nyhan is using a very lawyerly argument to try to cloud over the facts. But if the 25 and out and 30 and out benefits are frozen at 1998 levels with no increase in sight, common sense and plain English would call that a pension freeze.

Teamster member: "One simple question on reemployment — what's driving a tour bus got to do with my pension?"

► **Thomas Nyhan:** "I think we have a lot of tour buses organized."

Teamster member: "You name one."

► **Thomas Nyhan:** "I don't know. I'm sorry, there are none in the state."

The absence of clear guidelines as to what jobs retirees can and can't do puts too much discretion in the hands of the fund. Teamster members and retirees need to hold the fund accountable, like this brother did.

Promises

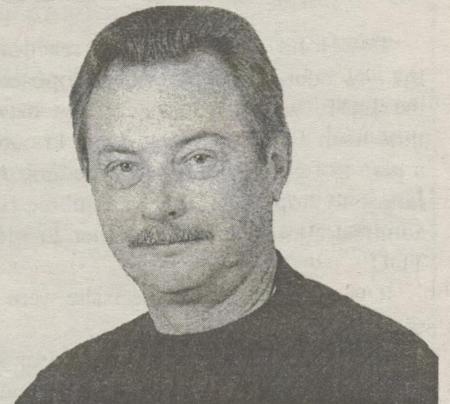
► **Thomas Nyhan:** "You're entitled to respect and if anyone was disrespectful that was wrong and there's no excuse for it. ... To the extent that anyone is ever treated disrespectfully I would request that you pick up the phone and you talk to me."

► **Thomas Nyhan:** "There were two or three situations where we made errors and we decided that in situations where

we told people that they could do something that we couldn't take the rug out from underneath them."

(Here Nyhan is explaining that the Fund will stop seeking repayment of benefits from retirees in situations where the fund trustees first approved a job but later changed their mind.)

► **Thomas Nyhan:** "I agree with you that the [reemployment rule] policy needs to be clearer. I also agree that some the responses the fund gives in



"When the head of the fund came to North Carolina to our union meeting I asked a simple question: if the fund is in trouble, why didn't you put more money into the contributions, even if it meant a lower wage increase for us in the UPS contract? He had the gall to stand there and say that it wouldn't make a difference, that we would have to double the contributions to have any impact.

"I'm no accountant or lawyer, but I do know that if you get even a 10-cent per hour increase each year in a six-year contract, times 2,080 hours, times about 40,000 full-timers, it's a far cry from chump change. By the end of the agreement that would be an extra \$50 million into the fund each year, just from UPS.

"They need to stop the runaround on this and start taking positive steps to strengthen our fund and our pensions."

Beverly Calhoun
Local 391, UPS
Greensboro, N.C.

terms of what is and is not prohibited reemployment are ridiculously slow. It's

got to be changed and I understand that."

► **Thomas Nyhan:** "There might be some opportunity at some point in the future to modify these rules to try to avoid situations like this because these are not intended results at all. ... I can't promise you it will happen or when it will happen. ... Whether there can be modifications that if you were doing certain part-time work or types of work in addition to what is permitted now, maybe those kind of changes are in the offing at some point."

The More Things Change the More they Stay the Same

How Pension Benefits Were Doubled

Demands for pension benefit improvements are not new in our union. Nor are the measures taken by the Central States trustees and officials to stall on making improvements.

In the late 1980s Teamsters under the Central States plan were stuck with a top benefit of \$1,000. At the same time, some other Teamster plans paid more and had 25-and-out benefits to boot.

In February 1989 the Central States Fund mailed every participant a detailed report stating that *nothing could be done to improve benefits*. They organized a road show, telling members the same thing at union meetings.

Their report to all members stated that "paying off the unfunded liability is a top priority ... for some time now we have been moving your Fund in the direction of being 'fully funded.'"

The 1980s saw booms and busts in the stock market. And on the heels of trucking deregulation our union experienced a massive loss of membership in freight and other jurisdictions.

Then, after a year of activity by the

Pension Improvement Committee, fund trustees reversed their position in April of 1991 and *doubled benefits* to \$2,000 at 30 years, at any age.

What happened? Then, as now, members were mobilized around pension improvements. Committees were formed, money was raised and pressure applied to union officials. And in January 1990, TDU reported the results of an independent actuarial study of the fund. The study showed that benefits could be increased dramatically without any additional income into the fund.

The actuarial study became the bible of the pension reform campaign. Armed with it, members built even greater pressure. The result: the biggest improvements in history in the Central States Fund.

Can history repeat itself? Yes, if the campaign for better benefits keeps building and growing.

Fundraising is critical if we are to conduct an independent study of the fund. Member support is critical if we are to win the reemployment lawsuit. Contact TDU to find out what you can do today.

Pension Fund Feeling the Pressure over Reemployment Rule

At a May 10 meeting at North Carolina Local 391, pension trustee Fred Gegare and pension fund director Thomas Nyhan had some disturbing answers for members concerned about the reemployment rule. They continued to defend the Fund's shameful practice of denying retirees their Teamster pension if they seek a job to supplement their pension income. (See article above.)

But for the first time Nyhan publicly acknowledged that he is feeling the heat about the reemployment rule from our pension justice movement, stating that if the fund relaxed the reemployment rule, "It would relax the pressure on me be-

cause I have been hearing this from every source."

Nyhan said that while he didn't think there would be major modifications to the reemployment rule, "There might be some opportunity at some point in the future to modify these rules," to avoid cases such as one in which a retiree was not allowed to take over the family hardware store.

We need to keep the pressure on Nyhan and the fund trustees until they loosen the reemployment rule and make the fund accountable to its members. Just talking about possibly making changes "some day" isn't good enough. We demand pension justice and accountability now.

Organizing Under Hoffa Lags Behind

Despite a massive increase in dues income last year, Teamster organizing has fallen to pitiful levels. As a result we have experienced a huge loss in membership. Reports filed by the IBT show a decline of 48,000 members in 2002.

Can this disastrous situation be turned around? It can. We started to do that in the mid-1990s when the Teamsters Union developed strategic organizing and membership involvement. It can happen again, with a determined leadership and membership. (See accompanying article on the IBT's new plans.)

A TDU study of data obtained from the National Labor Relations Board shows that the IBT won 278 certification elections in 2002 involving only 8,782 workers. In the years before Hoffa took office we were winning over 425 elections per year. We had also reached a break-even point and were no longer losing more members than we were taking in.

At the same time, the IBT has experienced major decertification elections. Teamster mechanics at Southwest Airlines decertified a few months ago to join an

independent union, a loss of nearly 3,000 members. Decertification figures overall were on the rise in the IBT in 2002. We lost 117 decertification elections (and 3,788 members as a result) in 2002 and prevailed in only 54.

Notably absent from the 2002 organizing targets were key nonunion companies that pose major threats to Teamster jobs and contracts. The carhaul division, for example, has held meeting after meeting to discuss plans to organize Swift, FleetCar, Sierra Mountain, MPG and others. But no elections were held at any of them.

Nor do any of the major nonunion freight companies appear on the list, although a number of campaigns were mounted at nonunion divisions of USF. Also absent are Wal-Mart, Home Depot, Staples and other rapidly growing employers.

While some states and locals generate a fair amount of organizing activity, others are nearly nonexistent. Only two elections took place in North Carolina, for example, and only one of those in the

home local of IBT Vice President Jack Cipriani. Some other Southern locals did far better, showing it is possible to organize in the South, where there are many prime targets.

One area targeted by the IBT, waste hauling and related businesses, did show

some results. Ninety campaigns went to election and 27 were winners. Twenty-six elections were held at industry giants BFI and Waste Management. This shows what can be done when our union focuses on a key industry.

2002 Teamster Organizing Index

- Recognition elections won in 2002: **278**
- Total workers organized: **8,782**
- Recognition elections lost 2002: **373**
- Total workers in units with losing elections: **21,919**
- Total decertification elections: **171**
- Decertification elections lost: **117**
- Workers lost in NLRB decertifications: **3,788**
- Top three states with most Teamster

elections: **California** (163), **Pennsylvania** (105), **Illinois** (91).

■ Employer with most Teamster NLRB elections: **Waste Management** (20).

■ Example of large unit with winning election: **Robert Wood Johnson Hospital** (825 workers).

■ Example of large unit with losing election: **Rite Aid in California** (650 workers).

Note: These figures are compiled using data obtained under the Freedom of Information Act from the National Labor Relations Board. The NLRB does not track union organizing in the public sector, so these figures account for the overwhelming majority of Teamster organizing activity, but not all.

IBT Announces New Organizing Plan

The May Unity Conference of Teamster officials in Las Vegas featured the rollout of a new organizing plan designed to stop the loss of members and power and get our union growing. So far, it's only on the drawing board, but the plan itself shows promise, if it is put into practice.

Teamster Organizing Director Jeff Farmer, formerly with the Service Employees International Union (SEIU), laid out the current state of Teamster organizing and also some plans for action.

The report in Las Vegas frankly admitted that organizing has been a failure in the first four years of the Hoffa administration. It was stated that we lost 40,000 members in 2002, and at the current rate could lose 200,000 by 2006. And that Teamster organizing lacks strategy, is aimed at small units, and is not targeted in our key industries.

This admission is borne out by a TDU study (see article this page). In four years the IBT leadership has failed to reach the level of organizing achieved in the 1990s, never mind expand on it. The talk from the IBT is very encouraging; it remains to be seen if they will walk the walk.

The plan laid out to turn things around includes:

- Strategic organizing in core Teamster industries including waste, carhaul, freight, tankhaul, food distribution and parking lots.
- Organize in member-rich areas and sectors, where the union already has strength.
- Create an "organizing culture" within

the Teamsters, and use joint councils as "command centers" of organizing.

- Greatly increase funding of organizing from the big dues hike of 2002. Of the \$9.2 million taken in for organizing since last July, only \$2.9 million has been spent, it was reported.
- Go outside the NLRB process when possible; organize to win union recognition.

This kind of plan is a good start, but needs to make membership involvement and ownership of the organizing program its cornerstone.

Can it be done? It will be hard for the Teamster leadership to reverse course and put the plan they endorsed into practice. But it has to happen.

We need leadership at the International and local level with the commitment and know-how to put an organizing plan like this into practice.

We also need to find ways to press for effective organizing from the bottom up. We need to press our locals to adopt the IBT organizing program and to dedicate funds to organizing.

We live in a time when the minimum wage is stuck at a disgraceful \$5.15, when gains won in the 1930s like the right to time-and-a-half for overtime are under attack, and when inequality is on the rise in the richest country on earth.

These corporate attacks come when our union is ill-equipped to lead a fight-back. A major new organizing push by our union can change that, and put the Teamsters Union in the forefront of a resurgent labor movement.

Pension Movements Grow

► Western Teamsters Pension Improvement Committee

Western Teamsters continue to circulate the petition and are now raising funds for an actuarial study of the Western Conference Pension Fund to expose the real facts to all participants and restore the benefit accrual cuts that have been implemented.

Check the WESTPIC website, www.nopensioncuts.org or call TDU for information on what's happening and how you can help.

► Central States Pension Improvement Committee

Teamsters in the Central and Southern areas continue to organize to end the unjust rules that prevent retirees from supplementing their pension income with other work, and to make the fund accountable to Teamsters and retirees.

Check the CSPIC website, www.nopensionfreeze.org, or call TDU for information on how you can get involved.

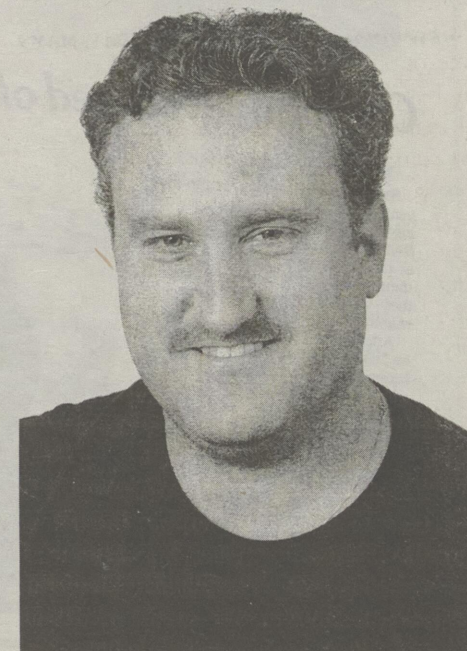
Pay Attention to Your Pension — Get Involved!

I'll Be There

This will be my third TDU Convention. This time I plan to bring along some of my friends who have been active in the Central Pennsylvania pension reform movement.

With what's going on here, in the Central States and in the West — and TDU's key role in each of these struggles — the TDU Convention is the place to be for pension activists to share our experiences and refine our strategies.

John Love
Local 429, Brenntag Northeast
Reading, Pa.



Members Fight Retaliation in Hoffa 'Reform' Local

The Teamsters: Perception and Reality, a corruption report commissioned by the Hoffa administration, reported that 49 of the 80 locals it had studied featured "Reformed Cultures and Successful Internal Controls."

But next month, officials from Local 854, the report's number one example of a cleaned up local, face a trial before the National Labor Relations Board (NLRB) on charges that officials violently retaliated against members because they ousted Local 854's incumbent shop steward.

Here is the story of one group of Teamsters and their struggle for a corruption-free union.

When school bus drivers in New York City Local 854 launched a campaign to elect a new shop steward and enforce their contract, they knew they would face resistance.

Their employer, Consolidated Bus Transit, is the largest company in the local. Its owner, reputed mob associate Joe Curcio, has had a cozy relationship with Local 854 officials ever since he used his mob connections to unionize his companies under a sweetheart contract.

But nothing could have prepared Jona Fleurimont, Jose Guzman and their co-workers for what would happen after they successfully ousted the steward favored by the company and Local 854 officials.

The fallout is detailed in an 11-page complaint recently issued by the National Labor Relations Board against both management and union officials and in a *New York Times* article "Company Accused of Threatening Workers" (May 9, 2003).

One morning, minutes after he drove to work, hammer-wielding thugs smashed the windows on Jona Fleurimont's car in front of his stunned co-workers. Soon after, the company threatened to close the Bronx bus yard unless workers ousted Fleurimont and Guzman as shop stewards. A flyer was circulated that threatened to move workers to a Brooklyn terminal "in a very dangerous area where car vandalism is commonly reported."

The NLRB complaint outlines how the company began requiring Fleurimont and Guzman to assign their fellow members

extra work in a scheme to create divisions and undermine the shop stewards with their co-workers.

When Fleurimont refused to cooperate with the scheme, the NLRB reports that CBT Transportation President Anthony Strippoli threatened to assault him. Fleurimont and Guzman were both indefinitely suspended.

Five days later, Fleurimont was threatened with assault again. This time, however, it was Local 854 President Daniel Gatto issuing the threats. According to the NLRB, Gatto threatened to assault Fleurimont, assaulted him, and then threatened to have the company discipline him if Fleurimont did not dole out extra assignments to the members in keeping with the company's illegal scheme.

Fleurimont was subsequently fired. His case is scheduled for a June arbitration. Two other reform activists have also been terminated on bogus grounds. More TDU members were suspended for going to the Board of Education to seek protection for the fired workers.

These firings and suspensions are under investigation by the NLRB. Workers have also filed charges against Local 854 Secretary-Treasurer Ann Stankowitz for her role in helping the company to illegally interrogate and suspend the workers.

According to the Project RISE *Perception and Reality* report, Local 854 is an example of a local, "where members are able to express their opinions without fear," officers are accountable for their actions, the grievance procedure is "fair and efficient," and the "union, for the first time in its history, is now democratic."

That is RISE's perception. The reality that Local 854 members have experienced is quite different: a local where union officials actively collude with management to intimidate and retaliate against rank-and-file reformers.

Despite the forces stacked against them, the rank-and-file Teamsters of Local 854 continue to stick together, organize and win.



We'll Be at the TDU Convention

"We have been through a lot and could never have come this far without TDU.

"We want our union to be controlled by the members and to fight for us, not the company. We've made progress towards this goal and we're going to continue.

"We'll be at the TDU Convention to get the information we need to continue our fight and to meet up with other Teamsters who want a strong, democratic union.

Jona Fleurimont and Jose Guzman

Local 854, Consolidated Bus Transit, New York City

Last month, union officials scheduled a vote on proposals to raise members' initiation fees and restrict their right to democratize the local's bylaws. Management sent busloads of workers from multiple locations to vote in favor of the union's proposals. But reform activists turned the tide by telling the bussed-in workers what was really at stake. The result? The company-supported amendments proposed by Local 854 officials were voted down by 72 to 49.

On May 30, management finally got its wish and a new election for shop steward was held at Consolidated Bus

Transit. Local 854 officials scheduled the vote after pro-company workers circulated a petition calling for a new election and collected signatures in a company office and under management surveillance.

It is one thing to sign a petition when the boss is threatening to eliminate your job or staring over your shoulder. It's another thing to vote for a pro-company steward in a secret ballot election.

Despite the overwhelming atmosphere of intimidation, members elected Jose Guzman shop steward by a 136-80 margin. The struggle to enforce workers' rights and return Local 854 to its members continues.

Members on the Move

Members for a Strong Local 814 Launch Newsletter

When Local 814 officials tried to force through contract concessions in the commercial movers industry last year, rank-and-file Teamsters formed Members for a Strong Contract to fight for a better agreement. As a result they defeated two concessionary proposals and won a better contract.

With employers violating that new agreement, movers have formed Members for a Strong Local 814 and launched a rank-and-file newsletter, *Union News You Can Use*.

The first edition analyzes the threat posed to members and the union's funds by employers' violations of the contract and looks ahead to this fall's election for local officers.

Airborne Teamsters Meet in Boston

The Mass./R.I. Chapter of TDU hosted a rank-and-file meeting to report on DHL's agreement to acquire Airborne Express and what it will mean for Teamster members. (See story page 4.)

Local 25 represents one of the largest groups of Airborne Teamsters in the country, but members complained they were completely in the dark about contract negotiations, the consequences of the DHL acquisition, and the union's strategy.

"This is the most information we've gotten anywhere," said several Local 25 members.

Airborne Teamsters interested in holding an informational meeting in their area, or in linking up with other Airborne Teamsters across the country, should contact TDU.

Chicagoland TDU Picnic

Teamsters interested in fighting for strong contracts and reforming our union are invited to spend a day with fellow TDU members and friends at the Chicagoland TDU Picnic on Aug. 3 from 11 a.m. to 5 p.m.

The picnic will include free food, drinks and prizes for the whole family and will be held at Ottawa Trail Woods, Site #2, at 44th and Harlemon.

Call 708-848-6575 for more information and to RSVP.

Company Accused of Threatening Workers

By STEVEN GREENHOUSE

Some unusual things began happening to Jona Fleurimont, according to the National Labor Relations Board, when he and another bus driver in the Bronx decided to challenge their union's shop steward because they thought he was too cozy with management.

After Mr. Fleurimont and the other driver, José Guzman, began circulating a petition last year asking for an election for shop steward, security guards from the bus company started spying on them, Mr. Fleurimont said. Then came threats of violence from company executives and vandalism to his car, he said.

The two men complained to the labor board, which last week lodged charges against their company, Consolidated Bus, accusing it of illegally spying on the men and threatening to assault them. The labor board said the company had illegally retaliated against Mr. Fleurimont and Mr. Guzman for trying to exercise their



José Guzman, left, and Jona Fleurimont reported threats after seeking a election in the Teamsters local at Consolidated Bus.

Carhaul Tentative Agreement

Are Concessions the Right Way to Go?

The International Union reached a tentative agreement with the union carhaul carriers on May 31, and the 9,500 affected Teamsters will vote on it in late June.

While James Hoffa predictably called it "one of the best contracts we've ever negotiated," it does contain significant concessions and a wage freeze in the five-year deal.

Hugh Sawyer, CEO of Allied Systems, bragged to the media, "We have established two years of wage freezes and key elements of work-rules flexibility that should ultimately enhance our ability to

remain the industry leader." Indeed, it appears the wage and "flexibility" concessions were tailored for Allied management.

Many car haulers are concerned about the concessions contained in Article 22 ("new business") which allow for half-pay backhauls for "new business," and remove the members' right to vote on such deals.

Will Concessions Save Jobs?

There is one united carhaul contract, a positive feature in the contract. Allied Systems tried to split the union. But, it came at the cost of a wage freeze (losing 95¢ per hour compared to freight) and "new business" concessions to suit Allied management's demands.

The question for our union is a familiar one: does a strategy of giving concessions save jobs, and win jobs from nonunion operators? This concession strategy has not worked in the past. The strategy to use is to organize, not try to go down to nonunion wages and work standards.

Get the Facts

TDU will make the full contract terms available as soon as possible, so car haulers can get all the facts regarding the proposed contract, and discuss it. Call TDU or check www.tdu.org. Unfortunately, the IBT website will probably just have press releases.

Contract Summary

Wages

0-0-40¢-40¢-50¢ over five years (0%-0%-2.0%-1.9%-2.4%). That's a total of \$1.30, compared to the \$2.25 that was recently bargained for freight Teamsters.

Running mile rates: 0-0-1¢-1¢-1.25¢. Loaded mile rates (East, and Central-Southern areas): 0-0-2¢-2¢-2.5¢.

Health and Welfare

60¢-60¢-60¢-60¢-70¢. Same as the freight contract.

Pension

It appears that most car haulers are headed for five years of pension freeze unless something is changed regarding the Central States and Western Funds.

Concessions

Article 22 of the national contract was rewritten in the proposal to favor more "competitive" deals in the Eastern, Central and Southern areas. Also, there will be *no more right to vote by members* to approve competitiveness, where wages are cut on backhaul loads. They will be automatic for traffic deemed "new business," with the national grievance panel having the authority to veto them.

Also, a side deal has been made to permit 24/7 dispatch of drivers, right through the weekend. Apparently this does not apply to yard and garage operations.

Driveaway

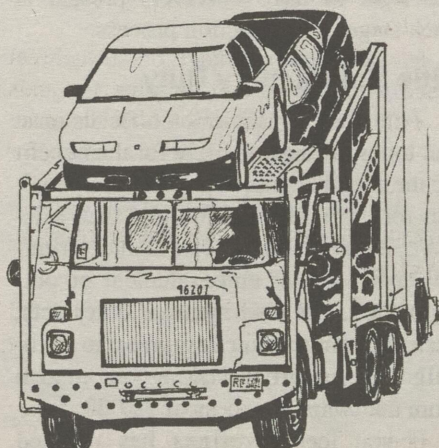
Driveaway Teamsters who haul heavy

trucks, employed by Active Transportation, will get the same mileage and hourly increase, but there will now be a "frozen backhaul rate," frozen at the current rate for the life of the agreement.

In a dirty trick, the union has taken away the right of Eastern, Central and Southern driveaway Teamsters to vote on their separate supplement. Last time they used it to reject the supplement, so now apparently they will be lumped in with the larger regional supplements.

Other issues

The QAT/Allied terminal in New Boston, Mich., (about 40 drivers) will be brought under contract, which is a plus for Local 299. There will be no change in the U.S.-Canada border agreement, which is a job protection clause for Teamsters on both sides. There will be no improvement in holidays, funeral leave, sick days, or cost of living. (Freight got one extra week of vacation after 30 years). Jury pay went from a maximum of 10 to 15 days.



The pension freeze issue is also important. Concerned car haulers should contact and support the Pension Improvement Committee. (See page 6 for more information.)

Power Is in Members' Hands

As this is written the full contract is not available for members to review. It should become available after the meeting of all local officials on June 10. More information, including the details of the supplement agreements, should be available soon, and then the members will have a chance to discuss and vote on the contract and on the supplements. All members should study the facts, discuss the issues, and cast a vote.

Allied: Predicting the Future

Last fall Allied bargained a contract for their extensive Canadian operations. In that contract, they inserted a clause linking wage hikes in the first two years of the contract to wage hikes in the first two years of the (then upcoming) U.S. agreement. Now, they got a two-year freeze in the U.S. and can automatically impose it in Canada, where they are quite profitable. What did Allied know and how did they know it?

One Member's Opinion

Joseph Reed
Local 580, Leaseway
Lansing, Mich.

I have been a Teamster car hauler for 18 years. From what I have read about the proposed contract, it's a joke.

This has to be the worst contract that I have seen negotiated by our so-called leaders. Who's side are they on?

I know we have to give and take in negotiations, but it looks like we gave

everything.

What did we get? Five more paid days for jury duty, that's about all I have seen so far.

All of us car haulers make a good living, and our numbers are declining, but I believe the way to keep our standard of living is not to gut our contract, but to organize the nonunion drivers and bring them up to our standard, not to lower our standard down to theirs.

Grievances:

Using the Grievance Procedure to Defend Our Rights and Build Power on the Job

The mechanics of the grievance procedure and organizing tips to involve members. \$8

Grievances

Using the Grievance Procedure to Defend Our Rights and Build Power on the Job

A Handbook for Teamsters by the Teamster Bank and File Education and Legal Defense Foundation (TBLEDF)

Please send me ____ copies. ☐ check or money order enclosed.

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Name _____ Local _____

Address _____

City _____ State _____ Zip _____

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For more publications available from TDU, or to order online, visit www.tdu.org.

The Bill of Rights for Union Members

Your Rights Under Federal Law

Most people in the United States have heard of the Bill of Rights. Turn on any TV show with a legal theme and you're likely to hear terms like "freedom of speech" and "due process" thrown around.

What many Teamsters don't know is that there's a federal law, the Labor Management Reporting and Disclosure Act of 1959 (LMRDA), that guarantees some of those basic democratic rights within our union.

The LMRDA (sometimes called the Landrum-Griffin Act) provides a series of tools that can come in handy for union activists interested in Teamster reform and holding their union officials accountable.

This article will outline your basic rights under the LMRDA, how to enforce them, and where to go for more information. Please note that the LMRDA only applies to private sector workers. However, if you are a public sector worker in a local with private sector workers, most of the same rules still apply.

Also, keep in mind that this is only a partial explanation of your LMRDA rights. See below for ways to get help and find out more.

Title I: Member's Bill of Rights

The heart of the LMRDA is Title I, which is fittingly called the "Bill of Rights of Members of Labor Organizations." These rights include:

- freedom of speech and assembly, including the right to criticize union officials, speak up at local union meetings, distribute literature outside (and sometimes inside) the union hall, and hold independent meetings;
- protection from retribution, including due process in matters of internal union discipline;
- the right to a copy of your collective bargaining agreement, including all riders, addendums, and supplements;
- the right to nominate candidates, to vote in elections or referendums, and to attend and participate in union meetings;
- the right to secret ballot votes on rates of dues, initiation fees, and assessments, except when raised by delegate vote at an International convention;
- the right to sue if you don't get satisfactory results through internal appeals.

Under Section 105 of the LMRDA, your union is required to inform you of your rights under the Act. The Association for

Union Democracy has won an important appellate case reinforcing this right. As would be expected, our Teamster administration has not taken this duty to in-

form very seriously.

Title II: Show Me the Money

Ever wonder how your dues dollars are being put to work? How much is being spent on organizing and how much is being spent on officer and staff salaries? Title II is your ticket to finding the answer.

Under Title II, every labor organization is required to file detailed annual financial reports with the Office of Labor-Management Standards, a branch of the Department of Labor. These reports, known as LM-2, -3 or -4 forms, are available to the public. Every year, TDU uses hundreds of these forms to research our "\$100,000 Club".

You can order LM-2 reports from the DOL office for the cost of copying and postage. Some LM forms are also available online at the DOL's website, <http://union-reports.dol.gov>.

TDU has LM-2 forms for most Teamster locals, which we make available to Teamster members (free to TDU members, others please enclose a donation to cover copying and shipping costs).

Unfortunately, the DOL is slow in processing the forms and it often takes months for current ones to become available.

Like many financial statements, these forms can be confusing to figure out. If you need help deciphering your union's financial report, contact TDU for help.

Title III: Trusteeships

Sometimes our International Union takes over a local union in response to legitimate concerns about local union officials' abuse of power or, more likely, the local union treasury. At other times the International imposes a trusteeship to prevent the "wrong" people (often reform activists) from taking office.

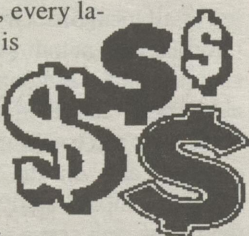
Title III lays out some basic ground rules for determining what constitutes a valid trusteeship, and sets up mechanisms for members to take action if they feel a trusteeship is invalid.

Under Title III, a trusteeship is presumed valid for 18 months, absent "clear and convincing evidence to the contrary," a very high standard to meet. After 18 months, the standard flips, and the trusteeship is then presumed invalid.

Title IV: Union Elections

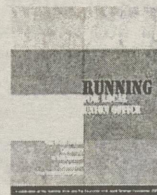
If you are a thinking of running for local union office, you should contact TDU to get the tools and strategies you need to win. But you also need to know your rights under Title IV, which governs the way unions run officer elections.

Title IV requires that local union elec-

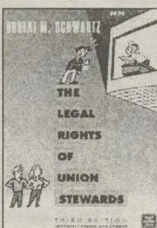


Learn More About Your Rights

Publications Available from TDU



RUNNING FOR LOCAL UNION OFFICE. \$10
Learn your rights and how to organize your campaign.
Send me _____ copies.



THE LABOR LAW SOURCE BOOK \$15
20 labor codes compiled by labor attorney Robert Schwartz.
Send me _____ copies.

THE LEGAL RIGHTS OF UNION STEWARDS \$9.99

Useful for active members as well as stewards. Written by attorney Robert Schwartz in easy-to-use question and answer format. Send me _____ copies.

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tions be held at least once every three years. It gives every member the right to vote, nominate candidates, run for office, and campaign without "improper interference or reprisal of any kind". It also limits many of the rules that unions use to restrict members' eligibility to run for office, including so-called "meeting attendance" rules, and prohibits officials from using union resources to campaign.

Under Title IV, every candidate for local union office has the right to mail campaign literature to the membership at their own expense, and to inspect the entire membership list at least once during the campaign. Candidates also have the right to have observers present at each stage of the election process.

Title V: Fiduciary Duty

Title V states that union officials must use union resources solely for the benefit of the membership, and provides penalties for when officers don't do that. Misusing union resources can include criminal acts, such as embezzlement or outright theft, but also includes other acts, such as using union resources to campaign, or an officer taking out a loan from the union in excess of \$2,000.

If you feel an officer has violated

their fiduciary duty, and your union fails to take action to recover the lost funds, Title V gives you the right to sue individually.

Title V also prohibits employers from bribing members or union officers to act against the union's interests, and prohibits certain people, such as convicted felons, from holding union office.

Enforcement Tied to Organizing

Some of your rights under the LMRDA can be fairly easily exercised, like looking up your local's LM-2 form on the web. Exercising other rights can be more difficult, and may even require hiring a lawyer in some cases.

Whatever your specific situation, enforcing your rights under the LMRDA is a lot easier if you can get organized with your fellow union members. As any good steward knows, there's nothing like collective action to get the people in charge to sit up and notice. TDU can help.

Where To Go For Help

For help with organizing to exercise your LMRDA rights, contact TDU. We can be reached by calling 313-842-2600 or by e-mail at tdu@tdu.org.

The Association for Union Democracy (AUD) also has decades of experience with advising union members on their rights under the LMRDA. AUD's website (www.uniondemocracy.org) has the complete text of the LMRDA, along with a handy summary and other valuable tools. You can reach them by e-mail at aud@igc.org, or by calling 718-855-6650.



IBT Spokesman Claims No Concern to Members

Cashman Guilty of Taking Payoffs

George Cashman, president of Boston Local 25 and Joint Council 10, and Hoffa's IBT Ports Division Director, pled guilty on April 28 to embezzling union benefits and pocketing kickbacks from employers.

Earlier, Thomas DiSilva, the owner of two trucking companies, pled guilty to splitting with Cashman \$100,000 he extorted from Cardinal Health. The newest revelation to come to light is that DiSilva also paid Cashman \$1,000 a month for eight to nine years to buy labor peace. In his plea Cashman admitted falsifying records to provide Teamster health benefits to 19 persons, including gangster John "Mick" Murray and a number of contributors to Cashman's union political cam-

paigns.

Cashman is facing a reduced prison sentence in exchange for his guilty plea, in the range of two-and-a-half to three years. He is now barred from union office for 13 years, ending his Teamster career. Local 25 Vice President William Carnes also pled guilty to mail fraud and theft from the union's health and welfare fund. They will be sentenced in August.

Ritchie Reardon, who was previously secretary-treasurer, has been appointed president of Local 25. In both a letter mailed to Local 25 members by the local and in the union's regular newsletter, Cashman is praised as a great leader. The fraud he committed on Local 25 mem-

bers, which is landing him in prison, is never mentioned.

Corruption, RISE and Hoffa

The reaction of top International Union officials to the guilty plea says a lot about where our current leadership

and campaign donors.

In exchange for a lighter sentence, Cashman obligated himself to provide testimony against his pals on the Teamster movie crew. That sounds more like former Teamster president and FBI informer Jackie Presser than Mother Jones.

The reaction of top International Union officials to the guilty plea says a lot about where our current leadership stands on corruption. Hoffa's spokesman, Bret Caldwell, was quoted in the *Boston Globe* as saying, "the workers are not affected by this."

stands on corruption. Hoffa's spokesman, Bret Caldwell, was quoted in the *Boston Globe* as saying, "the workers are not affected by this."

Teamster members not affected?! Apparently the official spokesman for the Teamsters Union does not realize that this corruption disgraces our union and hurts all of labor.

Hoffa's International Representative assigned to the Ports Division, Ron Carver, issued a statement after Cashman admitted his guilt in which he compared Cashman to such great labor pioneers as Mary "Mother" Jones and Joe Hill. These heroes put their life on the line time and again to fight for a better life for working people. Hoffa's staffers disgrace themselves and our union by comparing such heroes to someone who took monthly payments from trucking employers for labor peace, and diverted health and welfare money to gangsters

International Rep Carver also claims that submitting phony records to Teamster health and welfare funds to get certain persons qualified is a "common practice all over the country." Hoffa's RISE program, which is supposed to be rooting corruption from the Teamsters, should immediately question Carver to follow up on those corruption leads.

RISE has apparently launched no investigation of the corruption in New England, or in the Movie Division, where federal investigations continue.

Hoffa Silent

Hoffa himself has remained silent on Cashman's guilty plea. He was recently quoted in the *Pittsburgh Tribune-Review* as saying that there is no longer a need for an Independent Review Board to investigate corruption within the Teamsters because, "there's nothing to investigate anymore."

Labor Shorts



2006 Teamster Convention

The IBT General Executive Board has decided to hold the 2006 Teamster Convention in Las Vegas in June. The GEB met in early March.

The Executive Board also adopted a resolution establishing a Strategic Planning Committee to review and evaluate the union's structure and organization.

Good Words for Ousted Local 528 Head

Ken Hilbish, recently removed as head of Atlanta Local 528 for financial misconduct (see last issue), has a friend in Steve Koski. Koski is senior vice president of operations for AirTran, whose workers are represented by Local 528.

Commenting on an AirTran manager helping Hilbish to move his pleasure boat from the east coast of Florida to the west, Koski said that such social meetings can build better relations among labor leaders and managers, and praised Hilbish's leadership of Local 528.

Hilbish billed the local for the expenses of moving his boat, one of the reasons cited for his removal.

Hold the Pepperoni

United Food and Commercial Workers (UFCW) Local 538 members at Tyson Foods in Wisconsin went on strike last February after months of negotiations failed to produce an offer they could live with.

The workers at Tyson, one of the largest pepperoni producers in the country, rejected the company's proposal calling for a four-year wage freeze, a pension freeze, and changes in the health plan that would increase deductibles and out-of-pocket expenses. Tyson announced that it was permanently replacing the strikers on April 7.

The UFCW is asking consumers not to buy pizzas made with Tyson pepperoni, including Tombstone, Jack's Original and DiGiorno Pizzas. It is also asking patrons of Pizza Hut, one of Tyson's biggest customers, to say no pepperoni, please. Visit www.tysonfamiliesstandup.org to learn more.

Time to Organize Wal-Mart

A recent study reports that consumer ratings for Wal-Mart staff on courtesy and friendliness have dropped more than 20 percent since 1999. No surprise to some. Wal-Mart is currently facing lawsuits over sexual discrimination (see quote of the month below) and unpaid worker overtime.

Nonunion Wal-Mart has nearly one million employees. Women, who make up 67 percent of hourly workers, earned about \$1,100 a year less than male hourly employees in 2001.

Quote of the Month

"Men are here to make a career, and women aren't. Retail is for housewives who just need to earn extra money." Wal-Mart store manager to personnel manager seeking a merit raise for a female cashier.

Website of the Month

Interested in labor statistics? The Bureau of Labor Statistics website, www.bls.gov, has everything from statistics on strike activity, unemployment rates, workplace injuries and fatalities, and wages by area and occupation to career information for kids.

DeSanti Cops a Plea

International Vice President Dan DeSanti will retire and agree to a ban on Teamster membership or positions rather than go to hearing on charges of trying to help a member of the Genovese crime family arrange a sweetheart deal that would have hurt union members.

Money to Organized Crime

DeSanti was accused of working with Michael Sciarra, who prosecutors say is a Genovese family member, and Frank Walsh, a convicted labor racketeer and truck company executive, in a scheme to siphon money to organized crime.

According to the charges, the plan was to unionize T.J. Maxx warehouse workers in Philadelphia, but pay them less than the regular Teamster rate and steer the money saved by this sweetheart deal to organized crime.

DeSanti is the President of New Brunswick, N.J., Local 701, as well as an International VP for the Eastern Region.

Going-Away Party Planned

There is a whale of a going-away party planned for DeSanti. Since Ed Stier, the

head of Hoffa's RISE program, preaches that Teamsters should regard corrupt officials as traitors to the union, rather than simply officials who got caught, it will be interesting to see exactly who pays to come to DeSanti's party.

Missing Money, Missing Members

In our last issue we reported that our union lost 48,000 members last year, according to the LM-2 financial report filed by the International Union.

Since that time, top officials admitted at the Las Vegas Unity Conference that 40,000 members were lost, and projected that if the current state of Teamster organizing is maintained our union will lose 200,000 by the 2006 IBT Convention. This refreshing honesty was part of a report on the urgency of launching a major organizing program. We will report on that in our next issue.

As for the mysterious loss of \$61 million in 2001 in the same LM-2 report, we have yet to receive an answer. Stay tuned.

TDU Convention, Westin Hotel, Detroit Airport, October 24-26:

You Don't Want to Miss It!

Reform Teamsters from across the U.S., Canada, and Puerto Rico will be gathering at the brand new Westin Airport Hotel in Detroit from October 24-26 for the 27th annual TDU Rank & File Convention.

The TDU Convention is a unique opportunity for rank and file Teamsters to come together to share strategies, swap information, and chart a course for the future of our movement.

CSPIC and Westpic Meetings

The Central States Pension Improvement Committee will be holding a national Pension Reform Summit in conjunction with the TDU Convention.

The summit will bring together CSPIC leaders and supporters, pension experts, attorneys and actuaries to share information and make plans for the next steps in the pension justice campaign.

Members from the Western Region who are fighting cuts in their future pensions will also meet to develop plans for their fight for pension justice

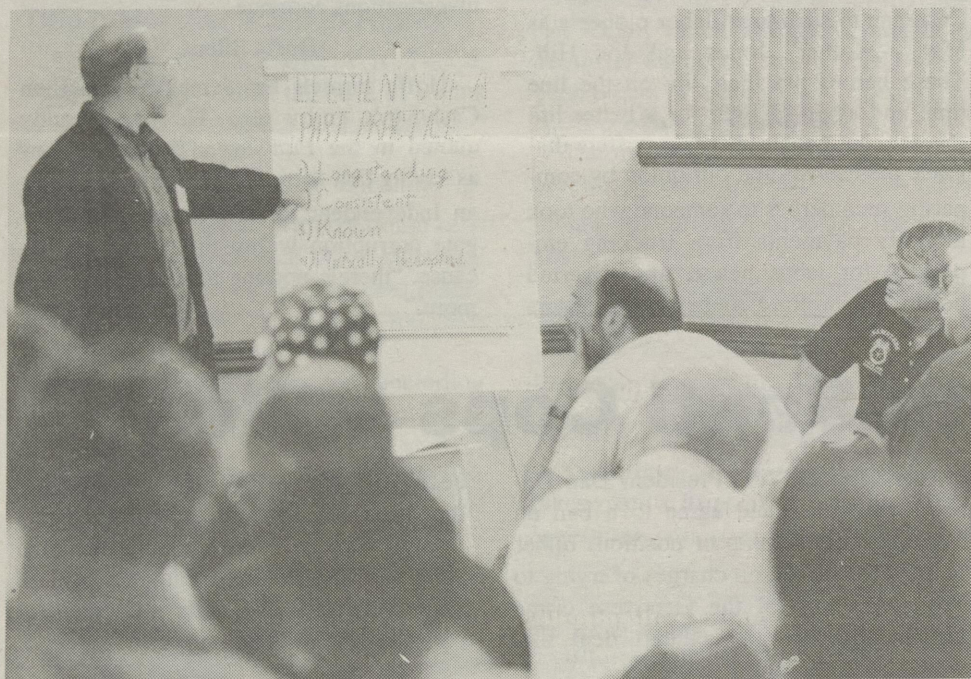
Convention Information

Registration for the TDU Convention is \$195 for three days, or \$165 for two. Registration covers all convention materials and meeting costs, as well as dinner on Friday, Saturday banquet and program, and lunch on Saturday and Sunday.

Hotel rooms are available for \$90 per night, tax included, for one or two people. The Westin features a fitness center and indoor pool. You must reserve your room through TDU to receive our group rate.

Register before October 1 to qualify for an early bird discount.

Contact TDU at 313-842-2600 for registration forms or to register by phone.



Hands-on Education

If you want practical, hands-on education from some of the most experienced Teamsters and labor educators in the country, then the TDU Convention is the place to be!

"I've been doing labor education workshops across the country for years now, but I always look forward to the TDU Convention. The Teamsters I meet at my workshops are some of the sharpest union people I know, and I can always count on them to challenge me. Best of all, I always come away having learned a thing or two.

"I hope to be taking a few questions from you at this year's TDU Convention!"

—Bob Schwartz, attorney, author, and labor educator

Company and Jurisdictional Meetings

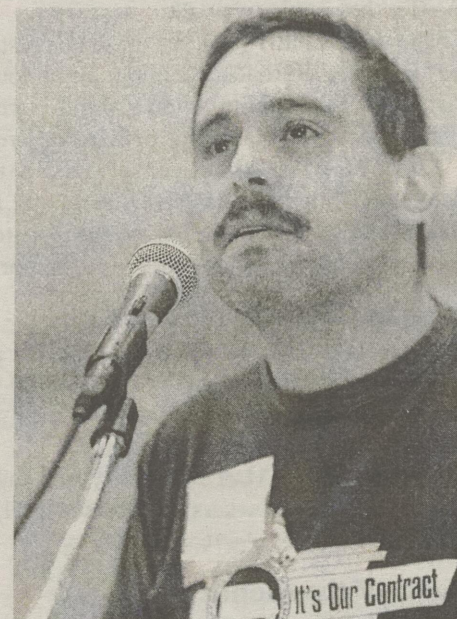
The TDU Convention will feature special jurisdictional meetings for Teamsters across our union who work at the same company or in the same industry to share information and coordinate union strategy.

Scheduled meetings include: UPS, freight, carhaul, Airborne, public sector, and more. Contact TDU for more details.

"At the TDU Convention, you can hear straight from fellow UPS Teamsters about what's going on in their areas, instead of having to rely on the rumor mill. Even better, you can discuss ways to work together to strengthen our contract and keep UPS in check.

"The value of that kind of communication and information is priceless. That's why I'm going to the TDU Convention, and I hope to see you there too."

Mark Day
Local 705, UPS
Chicago



Go to www.tdu.org for more info!